



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

FEB 23 2006

News Media Information 202 / 418-0500  
Fax-On-Demand 202 / 418-2830  
TTY 202 / 418-2555  
Internet: <http://www.fcc.gov>  
<ftp.fcc.gov>

DOCKET FILE COPY ORIGINAL

DA 06-402  
February 22, 2006

## COMMENTS INVITED ON APPLICATION OF COMMUNIGROUP OF K.C., INC. D/B/A CGI LONG DISTANCE SERVICES D/B/A CGI TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 06-44  
Comp. Pol. File No. 749

Comments Due: March 8, 2006

### Section 214 Application

Applicant: CommuniGroup of K.C., Inc. d/b/a CGI Long Distance Services d/b/a CGI

On February 21, 2006, CommuniGroup of K.C., Inc. d/b/a CGI Long Distance Services d/b/a CGI (CGI or Applicant), located at 6950 W. 56<sup>th</sup> Street, Mission, Kansas 66202, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue its provision of certain domestic telecommunications services in Arkansas, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota and Texas.<sup>1</sup> By an amendment filed February 21, 2006, CGI corrected certain deficiencies in its initial application and updated the record regarding notice to customers.

CGI indicates that has been granted a certificate to operate as an international resale carrier<sup>2</sup> and that it provides domestic interexchange telecommunications services pursuant to blanket domestic 214 authority granted by the Commission. CGI states that, pursuant to this authority, it currently provides domestic and international long distance services, including 1+, toll free, dedicated and travel services to customers located in Arkansas, Kansas, Missouri, Oklahoma and Texas, and that it also offers these services in Iowa, Minnesota, Nebraska, North Dakota and South Dakota. CGI represents that on February 13, 2006, it filed a voluntary petition in the U.S. Bankruptcy Court for the District of Kansas (Kansas City) (Case No. 06-20119) to liquidate its business under Chapter 7 of the Bankruptcy Code. CGI asserts that, as a result of its bankruptcy filing, it now seeks authority from the Commission to discontinue its provision of domestic and international long distance services to approximately 9,704 customers.<sup>3</sup> CGI proposes to

<sup>1</sup> Although CGI apparently attempted to file its initial application on February 17, 2006, it was not officially received by the Secretary's Office until February 21, 2006.

<sup>2</sup> See Authorization and Certificate, 5 FCC Rcd 5492 (1990).

<sup>3</sup> Discontinuance of international service is governed by 47 C.F.R. § 63.19.

discontinue service to all of its customers on February 28, 2006, or on such other date as authority for such action might be provided. CGI indicates that by February 18, 2006, it provided all affected customers with written notice of its proposed discontinuance, with letters sent via regular U.S. mail. Finally, CGI asserts that it is a non-dominant interexchange carrier with respect to the services to be discontinued.

We seek comment on CGI's proposed discontinuance of service, including the steps it has taken to notify customers, in light of the notification procedures prescribed in section 63.71(a) of the Commission's rules. In accordance with section 63.71(c) of the Commission's rules, CGI's application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this public notice, unless the Commission notifies CGI that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, CGI may terminate service to its affected customers on **March 25, 2006**. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **March 8, 2006**. Such comments should refer to **WC Docket No. 06-44 and Comp. Pol. File No. 749**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327,

Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM). People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [carmell.weathers@fcc.gov](mailto:carmell.weathers@fcc.gov), or Rodney McDonald, (202) 418-7513 (voice), [rodney.mcdonald@fcc.gov](mailto:rodney.mcdonald@fcc.gov) of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit [http://www.fcc.gov/wcb/cpd/other\\_adjud](http://www.fcc.gov/wcb/cpd/other_adjud).

**-FEDERAL COMMUNICATIONS COMMISSION-**